



Testimony

Neither For Nor Against

LD 2212, "An Act Making Supplemental Appropriations And Allocations From The General Fund And Other Funds For The Expenditures Of State Government And Changing Certain Provisions Of The Law Necessary To The Proper Operations Of State Government For The Fiscal Years Ending June 30, 2026 And June 30, 2027"

February 18, 2026

Good morning, Senator Rotundo, Representative Gattine, and members of the Joint Standing Committee on Appropriations and Financial Affairs, Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services. My name is Nicole Marchesi. I am the Public Policy Advocate for the Maine Long-Term Care Ombudsman program (LTCOP).

I'm here today to testify neither for nor against LD 2212 and to ask that you consider an amendment to help sustain our core services. Without additional funding of \$111,000 in the current fiscal year, we will be forced to lay off our Regional Ombudsman currently overseeing the entirety of Aroostook County and a portion of Penobscot County.

As you know, the Ombudsman Program provides statewide advocacy for older and disabled adults who need or are receiving care in nursing homes, residential care, assisted living, adult day services and for recipients of home care services. In 2016, our state enabling legislation was amended to expand our advocacy role to include serving patients ready for discharge from hospitals who face barriers in accessing the long-term services and supports they need. Our program is amazingly effective in protecting the rights of individuals who need care and in resolving access and quality of care issues.¹ Our staff excel at resolving complex care issues.

Maine Long-Term Care Ombudsman Program Covers Over 300 Long-Term Care Homes

¹ It is of note that research published in December 2025, the Millbank Quarterly indicates that the presence of ombudsmen is associated with a 3.9% reduction in the number of survey deficiencies. Studies found that increased funding for the program is directly associated with better care including a statistically significant reduction in the use of antipsychotics.

So often residents who live in a long-term care home feel isolated and unable to express their concerns about quality-of-care and quality of life issues. Families are fearful about making a complaint. Ombudsman Program staff and volunteers make a difference every day in supporting the voices of residents and families to resolve care and dignity issues and resident rights violations. Our staff and volunteers cover over 300 long-term care homes across the state. All of these homes are visited every quarter and more frequently when problems arise. When nursing homes have significant survey citations, we monitor those homes by visiting frequently, offering our support by establishing Family Councils, supporting Resident Councils, providing staff in-services on resident rights and mandatory reporting. In FY 2025, we monitored 20 nursing homes with serious survey citations.

Ombudsman Program Staff Advocacy During Closures

Since 2014, Maine has experienced the closure of 27 nursing homes. In each of these closures, our staff have been on site to meet with residents and families to assure a safe and appropriate discharge. Additionally, we have been a critical support to providers in finding another placement for residents. When a long-term care home closes, it requires thoughtful and intensive advocacy to assure the best possible outcomes for residents. Whenever possible, we follow these residents after they have moved to another nursing home. We have stepped up in every closure without any additional funding. We never turn away a need for assistance.

Funding is Needed to Maintain Direct Access to Ombudsman Program Advocacy in Aroostook County

We respectfully request your consideration for including \$111,000 in funding for the Maine-Long Term Care Ombudsman Program in the Supplemental Budget. This would allow us to maintain our full-time Regional Ombudsman who covers Aroostook and northern Penobscot counties. Though the Department provided funding for this position in July 1, 2024 through June 30, 2025, we were discouraged that our request for continued funding was denied. We believe that the residents in seven nursing homes and fourteen residential care homes in Aroostook County deserve to have direct access to the critical advocacy we provide. Without additional support, we will need to lay off staff later this year.

Aroostook County Regional Ombudsman Has Made a Difference

When the Mercy Home in Eagle Lake closed May 2025, we worked closely with the residents, their families and staff to support them through the closure. One of these residents was forced to move across the state, far away from family and friends. When a bed became available for this resident to return to Aroostook County, neither nursing home could provide transportation. Initially, the Department told us they could not provide MaineCare funding for transportation. This would have meant losing the bed. Our Regional Ombudsman brought this to our attention. In response, we met with the Department and the request for MaineCare funding was approved so the resident was able to return to Aroostook County closer to family and friends. This is just one example of the critical work our Regional Ombudsmen provide.

We are proud to serve older and disabled adults and their families across the continuum of long-term services and supports. We know our presence in long-term care homes across the state is greatly needed. We hope you will support our request for funding and allow us to continue our Regional Ombudsman in Aroostook County.

We have attached a fact sheet that outlines the duties of the Ombudsman Program and the statewide advocacy that we provide.

The importance of COLAs

Additionally, we have concerns about the lack of funding for the COLAs in the budget. Investment in better wages for these direct care and support professionals must be made to recruit and retain staff who in every way are the backbone of the long-term services and supports system. For far too long, direct care and support staff have had to struggle with low wages and no hope of getting ahead. In our extensive work with direct care and support staff across the state, we hear repeatedly about the discouragement and stress caused by low wages and often, having to work two jobs to make ends meet. The direct care and support workforce shortage impacts both access and quality of care for older and disabled adults across the state who need care either in a long-term care facility or in the community. Additionally, it impacts family caregivers who need support to keep a loved one at home. When staffing levels are inadequate in a nursing home or assisted housing program, residents suffer when they do not receive the care they need. Staffing complaints are one of the most frequent received by our program. We urge considerations to include COLAs in the budget to ensure adequate wages for

MAINE LONG-TERM CARE OMBUDSMAN PROGRAM

Independent Advocacy for Older Adults and Adults with Disabilities

Program Authority

The Maine Long-Term Care Ombudsman Program is established under the **Older Americans Act** and **state enabling legislation**, which define our duties to serve as **independent advocates** for individuals receiving long-term services and supports.

What We Do

We provide **critically needed, statewide advocacy services** for older adults and adults with disabilities receiving care in:

- **Nursing Homes, Residential Care, and Assisted Living Facilities**
- **Adult Day Programs**
- **Home Care Services**, funded through Medicare, Medicaid (MaineCare), and state programs

Additional responsibilities include:

- Administering the **Homeward Bound Program** for MaineCare-eligible nursing home residents who want to return to the community
 - Assisting residents with **transition planning** to return home from long-term care facilities
 - Assisting hospitalized patients statewide who are ready for discharge but cannot access needed long-term services and supports
 - Helping Maine residents with **complex medical needs** return home from out-of-state placements
 - Providing **resident rights education** to long-term care facility staff
 - Educating direct care staff on **mandatory reporting requirements**
 - **Recruiting, training, and supervising Ombudsman Volunteers**
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Scope of the Program

The Ombudsman Program serves residents in **300+ long-term care facilities statewide**, visiting residents and resolving complaints covering a wide range of issues, including:

- Inadequate care
 - Staffing concerns (insufficient staffing, delayed response to care needs)
 - Assistance with facility transfers
 - Discharge planning and involuntary discharges
 - Resident rights violations
 - Billing issues
 - Physical plant and safety concerns
 - Assistance finding appropriate placement
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Addressing Poor Care

The Ombudsman Program intervenes when facilities demonstrate **patterns of poor care**, identified through the state survey process and serious complaints received by our office.

In 2025, the Ombudsman Program monitored 20 long-term care facilities cited for:

- Failure to protect residents from abuse, neglect, or exploitation
- Failure to follow care plans
- Inadequate staffing
- Physical plant deficiencies

Our response includes:

- Frequent, on-site visits
 - Collaboration with **DHHS, Division of Licensing and Certification**
 - Establishing and supporting **family groups**
 - Supporting and strengthening **Resident Councils**
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Nursing Home Closures

- Since 2014, **27 nursing homes have closed**, displacing hundreds of residents

- In every closure, Ombudsman staff met directly with residents and families to ensure **safe and appropriate discharges**
- This work requires intensive staff involvement, coordination with providers, and collaboration with DHHS
- Staff **follow residents after relocation** to address problems and prevent poor outcomes

Funding is urgently needed to maintain coverage for Aroostook County

Currently Vacant: 2.0 FTE (critical frontline advocacy roles)